

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

LESTER EUGENE SILER, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 3:05-cv-341
	)	Judge Edgar/ Magistrate Guyton
	)	
GERALD DAVID WEBBER, et. al.	)	
	)	
Defendants.	)	

**ORDER**

The only claims that remain before the Court for adjudication are the plaintiffs' federal civil rights claims brought against defendants Gerald David Webber, Samuel Reed Franklin, Joshua James Monday, Shayne Christopher Green, and William Carroll in their individual capacities under 42 U.S.C. § 1983 and the United States Constitution as pleaded in the Ninth Count of the plaintiffs' complaint.

On July 31, 2009, plaintiffs made a motion pursuant to Fed. R. Civ. P. 41(a)(2) to voluntarily dismiss without prejudice all of these remaining claims. [Doc. No. 136]. The plaintiffs' motion is **GRANTED**. All of the plaintiffs' remaining federal civil rights claims against defendants Gerald David Webber, Samuel Reed Franklin, Joshua James Monday, Shayne Christopher Green, and William Carroll in their individual capacities under 42 U.S.C. § 1983 and the United States Constitution, as pleaded in the Ninth Count of the plaintiffs' complaint, are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(a)(2).

Each party shall bear their own costs of this action. There being no further claims before the Court, the Clerk of the District Court shall close the record in this case.

SO ORDERED.

ENTER this the 12th day of August, 2009.

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE